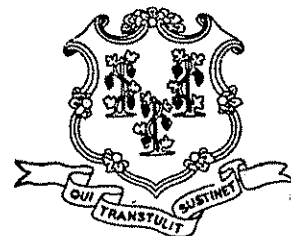


# Department of Consumer Protection



## Testimony of John Suchy Director of Liquor Control Division Department of Consumer Protection

February 8, 2011

Sen. Doyle, Rep. Taborsak, Sen. Witkos, Rep. Rebimbas and Honorable members of the General Law Committee, I am John Suchy, Director of Liquor Control in the Department of Consumer Protection. Thank you for providing me the opportunity to offer written testimony regarding a number of proposed bills on your agenda today.

I would begin my testimony by noting that none of the bills before you today are proposals introduced by the Department. As such, the purpose of my testimony is not to seek your support for any of these bills. Nor is it for me to speak in opposition to them. Rather, I offer the following testimony to provide information to committee members regarding the impact these bills would have on the current resources of the DCP.

I am aware that we are at a relatively early stage in the legislative session and that some of these proposals may be amended as the committee sees fit. As such, please note that my comments address the bills as they are currently drafted. Should there be changes considered at some later date, please know that the Department is happy to continue to provide you with additional information and to answer any questions you may have of us.

With that in mind, I respectfully provide comments on the following 5 bills on your agenda today.

### SB 864 AN ACT CONCERNING GROCERY STORE BEER PERMITS

This bill as drafted would greatly expand the number of retail stores that would qualify as grocery stores and thus allow them to obtain a permit to engage in the sale of beer. We note that while the stated intent of the bill is to include "convenience stores" within the definition of "grocery stores," the bill would further expand that meaning to include many other retail stores engaged in the sale of groceries such as department stores,

pharmacy stores and similar businesses. The precise number of new convenience & retail stores that would qualify under this bill has yet to be determined but the Department's initial estimate is approximately between 2,500 to 4,000. This number of potential new permit applicants and permit holders would pose a staggering resource demand on the Department. To put that number into perspective, there are today approximately 7600 active liquor permits issued in Connecticut—of which 1200 include off-premise consumption permits such as “package store” and “grocery beer” permits. We presently handle the serious responsibilities associated with licensing, investigation, complaints and enforcement with an ever-diminishing number of staff. As such, a change to allow this large a number of new applications and permit-holders requiring investigation and enforcement resources would require a significant number of additional staff to accommodate. I must stress that should this proposal be enacted, failure to provide those additional resources for the Department would necessarily lead to unsatisfactory delays in our ability to investigate and process applications, respond to consumer inquiries and complaints, and enforce the crucial provisions of our liquor laws.

#### SB 462 AN ACT CONCERNING THE SALE OF CONNECTICUT FARM WINE AT FARMERS' MARKETS

Over the past number of years there has been significant discussion regarding proposals to allow for the sale of wine at Farmers' Markets. DCP has readily participated in this discussion and stands ready to continue that again this year. We note that SB 462 is not a fully drafted bill and so we anticipate that proponents are continuing to craft final language. To that end we would encourage them to incorporate the language contained in last year's bill, HB-5231 (2010) “AN ACT CONCERNING THE SALE OF WINE AT FARMERS' MARKETS.” The Department was involved in discussion with various parties and concluded that the provisions included in that proposal were acceptable and could be accommodated within existing DCP resources. It is our hope that any proposal moving forward this year would be limited to provisions that could similarly be done without imposing substantive new burdens on department resources.

#### HB 6267 AN ACT CONCERNING THE SALE OF WINE WITH GIFT BASKETS

This proposal would create a “gift basket retailer permit,” to allow for the sale of bottles of wine within gift baskets prepared by the permit holder. The language as drafted does not define the individuals or businesses that would be eligible to apply for this new permit type. The intent appears to be for those in the gift industry such as florists and gift shops and the like, but as written would allow for a vast number of other individuals and enterprises to be eligible. Regardless, it would appear to result in a very large number of new applications and permit holders. As in my previous remarks I must state that additional staff resources would be required if this proposal was enacted. The failure to do so would necessarily hamper our ability to carry out the duties of the Department's mission.

HB 5739 AN ACT CONCERNING MUNICIPAL APPROVAL OF ALCOHOLIC LIQUOR PERMITS

SB 458 AN ACT CONCERNING MUNICIPAL POLICE DEPARTMENTS AND ALCOHOLIC LIQUOR PERMITS

Both HB 5739 and SB 458 seek to require an additional step in the initial application and/or renewal process for liquor permit holders within their respective municipalities. The Department acknowledges the critical partnership that exists between the State Liquor Control Division and local police departments and welcomes continued dialogue and cooperation between these partners. These bills as drafted do not yet contain the detailed language to allow us to ascertain how they may impact the Department's resources. For instance, it is unclear what the requirements would be for permit applicants and renewals to obtain or to be rejected for municipal approval. The Department looks forward to working with proponents of these bills in an effort to craft language that satisfies their intent while not adding a burden to department resources. At this time, we would simply note that under current law applicants that are denied a liquor permit are afforded, and in some cases required to have an administrative hearing conducted by the Department. Consequently, any legislative change that could significantly increase the number of administrative hearings held would further impact agency resources.

Again, thank you for the opportunity to provide testimony. The Department stands ready to provide you with any additional information you may request on these proposals, or any other on your agenda today or in the future.

